

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

GARY KREMEN,  
Plaintiff,  
v.  
STEPHEN MICHAEL COHEN, et al.,  
Defendants.

Case No.: C 98-20718 JW (PVT)

**INTERIM ORDER DENYING  
DEFENDANT COHEN'S REQUESTS FOR  
SANCTIONS WITHOUT PREJUDICE;  
RE-SCHEDULING REMAINDER OF  
DEFENDANT COHEN'S MOTION TO  
QUASH AND FOR PROTECTIVE ORDER;  
AND STAYING SUBPOENA**

On May 21, 2007, Defendant Cohen filed a motion seeking an order quashing a subpoena, a protective order and an order for sanctions.<sup>1</sup> Having reviewed the papers submitted, the court finds it appropriate to issue this interim order. Based on the moving papers and the file herein,

IT IS HEREBY ORDERED that the requests for sanctions contained in Defendant Cohen's aforementioned motion is DENIED, without prejudice to motions brought separately, as required by Civil Local Rule 7-8(a). This is the second time the court has notified Defendant of the requirements of Local Rule 7-8(a). Any future request for discovery sanctions by Defendant which is not brought separately as required by Local Rule 7-8(a) will be denied with prejudice.

<sup>1</sup> The holding of this court is limited to the facts and the particular circumstances underlying the present motion.

1 IT IS FURTHER ORDERED that the hearing on Defendant Cohen's motion to quash and  
2 for protective order is hereby re-scheduled for 10:00 a.m. on June 26, 2007 in courtroom 5 of this  
3 court. (Magistrate Judge Trumbull's law and motion calendar is held on Tuesdays at 10:00 a.m.  
4 Thus, any future discovery motions should be noticed for a Tuesday at 10:00 a.m.) If Defendant  
5 Cohen or any attorney of record who will be appearing at the hearing has a scheduling conflict  
6 with this hearing date, he or she shall promptly file either a stipulation or motion under Civil  
7 Local Rule 6-3 requesting another hearing date.

8 IT IS FURTHER ORDERED that, pending resolution of this motion, the subpoena  
9 Plaintiff's counsel issued to the Bureau of Security and Investigative Services is STAYED.  
10 Plaintiff's counsel shall promptly notify this non-party that the subpoenas are stayed, and in the  
11 event the non-party nonetheless produces documents, neither Plaintiff nor his counsel shall read  
12 or review any of the documents absent further order of the court.

13 Dated: 5/22/07

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15 PATRICIA V. TRUMBULL  
16 United States Magistrate Judge  
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